

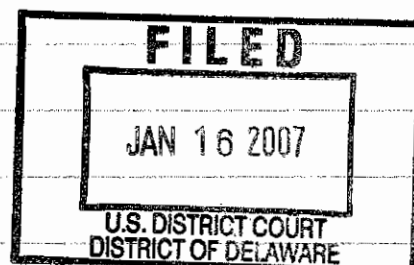
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS

v.

CA. NO 04-1350 (GMS)

DR. SYLVIA FOSTER, ET AL.



AMENDED MOTION FOR ORDER *Re scanned*
OF DECLARATION FOR THE
DEFENDANT DR. SYLVIA FOSTER'S
CONTEMPT OF COURT ORDERS
DATED JULY 28, 06 DE. 72,
AND SEPT 27, 06 DE. 83,
PURSUANT TO RULE 37.

DATE: 1/11/07

Jimmie Lewis
BB1# 506622
DEL. CORR. CENTER
1181 PADDOCK RD
SMYRNA, DE 19977

1. AT THE DELAWARE CORRECTIONAL CENTER ON DEC 18, 2006, THE DEFENDANT DR. SYLVIA FOSTER'S ATTORNEY OF RECORD AT SAID TIME, INSTRUCTED AND OR REQUESTED FOR RONALD W. HARTNETT JR, BAR ID # 4497 OF REGER - RIZZO - KAVULICH AND DARNALL, LLP 1001 JEFFERSON PLAZA - SUITE 202, WILMINGTON, DELAWARE 19801, THE EXACT SAME LAW FIRM AS CAROL J. ANTOFF, TO DEPOSE THE PLAINTIFF, FOR WHICH WAS DONE REGARDLESS OF THE PLAINTIFF'S OBJECTION, SEE PAGE 2 OF SAID DEPOSITION TRANSCRIPT.

2.) DURING THE DEC 18, 2006 DEPOSITION HEARING THAT THIS HONORABLE COURT AUTHORIZED ATTORNEY FOR DEFENDANTS JOHNSON, GRAY, - SAGERS AND MOFFETT, DEPUTY ATTORNEY/ GENERAL GREGORY E. SMITH VIA MOTION TO TAKE DEPOSITION OF THE PLAINTIFF FILED 7/28/06 DL.73, GRANTING SAID ORDER ON 8/09/06 DL.74, RONALD W. HARTNETT JR DEPOSED THE PLAINTIFF WITHOUT MAKING APPLICATION BY MOTION AND OR NOTICE OF DEPOSITION OR APPEARANCE TO THE CLERK OF THE COURT FOR WHICH WOULD HAVE MADE THIS HONORABLE COURT AND THE PLAINTIFF AWARE OF HIS IDENTITY AND HIS INTENTIONS BEFORE THE DEC 18, 06 DEPOSITION HEARING; -

(CONT #2)

FOR WHICH WOULD HAVE BEEN IN ACCORDANCE TO THIS HONORABLE COURT'S JULY 28, 2006 SCHEDULING ORDER, DI. 72, (SEE PAGE 4 - OF SAID DEPOSITION TRANSCRIPT.)

3.) RONALD W. HARTNETT JR.'S ACTIONS DEFINE CONTEMPT OF COURT, AS WELL AS A 14TH U.S.C.A. RIGHT VIOLATION DUE TO RONALD W. HARTNETT JR. DEPOSING THE PLAINTIFF WELL BEFORE ENTERING HIS AFFIDAVIT OF APPEARANCE WITH THIS HONORABLE COURT DATED 12/29/06.

4.) ATTORNEY FOR THE DEFENDANTS JOHNSON, GRAY, SAGERS AND MOFFETT; DEPUTY ATTORNEY GENERAL GREGORY E. SMITH ASSISTED CAROL J. ANTOFF, (THE ATTORNEY OF RECORD FOR DEFENDANT DR. SYLVIA FOSTER ON DEC 18, 2006), BY ASSISTING RONALD W. HARTNETT JR. IN THE FOLLOWING MANNER.

GREGORY E. SMITH PLACED DR. SYLVIA FOSTER'S NAME ON HIS 7/28/06 DI. 73 MOTION TO DEPOSE THE PLAINTIFF, (IN ORDER TO COERCE THE PLAINTIFF TO COMPLY AT THE TIME OF THE DEPOSITION HEARING), EVEN THOUGH HE DOES NOT REPRESENT THE DEFENDANT DR. SYLVIA FOSTER.

(CONT # 4)

THEN BY PRESENTING RONALD W. HARTNETT JR.,
(A JUDICIALLY UNIDENTIFIED PERSON), WHOM
GREGORY E. SMITH SIMULTANEOUSLY ARRIVED
AT THE DELAWARE CORRECTION CENTER TO
CONDUCT THE DEPOSITION HEARING WITH,
AFTER INDUCING THE PLAINTIFF INTO A STATE
OF DURESS BY THREATENING TO SUBJECT THE
PLAINTIFF'S GOOD TIME AND OR COMP TIME CREDITS
TO SANCTIONS, (SEE DEC 18, 2006 DEPOSITION
TRANSCRIPT), FOR WHICH WAS THE STATE OF MIND
THE PLAINTIFF WAS IN AS GREGORY E. SMITH
PRESENTED THE PLAINTIFF TO RONALD W. HARTNETT JR.

THE AFOREMENTIONED DEFINE DELIBERATE
INDIFFERENCE TOWARDS THE PLAINTIFF'S PLIGHT,
AS WELL AS A TOTAL DISREGARD TO THIS
HONORABLE COURT

1ST, 8TH AND 14TH U.S.C.A RIGHT VIOLATIONS,
CONTEMPT OF JULY 28, 06 DE. 72 SCHEDULING
ORDER, AND CONSPIRACY.

5.) THE PLAINTIFF INFORMED RONALD W HARTNETT JR, THAT DR. FOSTER'S MOTION FOR PROTECTIVE ORDER FILED ON 9/26/06 AND GRANTED ON 9/27/06 HAS NOT BEEN HONORED DUE TO THE PLAINTIFF'S DISCOVERY REQUEST #'S II DI. 85, III DI. 86, IV DI. 87, V DI. 91, VI DI. 95 AND VII DI. 99 NOT BEING ANSWERED BY THE DEFENDANT DR. FOSTER, AND THAT THE PLAINTIFF RESERVES THE RIGHT TO ANSWER DUE TO THE QUESTIONS BEING PRESENTED IN SUCH A MANNER THAT THE PLAINTIFF WOULD HAVE BEEN ANSWERING QUESTIONS THAT CONTAIN EVIDENCE THAT THE PLAINTIFF IS PRESENTLY SEEKING FROM THE DEFENDANT DR. SYLVIA FOSTER.

FURTHERMORE, THE PLAINTIFF WAS PREJUDICED BECAUSE RONALD W. HARTNETT JR, CONTINUED TO DEPOSE THE PLAINTIFF, AND THE PLAINTIFF FELT COMPELED TO ANSWER THINKING HIS GOOD TIME AND OR HIS COMP TIME WOULD BE SANCTIONED ~~WHICH~~ IF HE DIDN'T ANSWER, FOR WHICH SAID ANSWERS MAY BE DETRIMENTAL TO THE PLAINTIFF'S CIVIL ACTION

5TH U.S.C.A RIGHT VIOLATION.

(6.) THE PLAINTIFF HEREBY REQUEST
THIS HONORABLE COURT TO IMPOSE A
PUNITIVE MONETARY SANCTION OF UP TO \$ 75,000.00,
TO BE PROVIDED TO THE PLAINTIFF AND OR
IN ACCORDANCE TO THIS HONORABLE COURTS
DISCRETION, AND OR UP TO (1) YEAR
INCARCERATION ; AND THAT RONALD W HARTNETT JR'
DEPOSITION OF THE PLAINTIFF BE SEALED .

THE PLAINTIFF HEREBY REQUEST
FOR THIS MOTION TO BE HEARD IN ACCORDANCE
TO THIS HONORABLE COURTS SCHEDULE.

NOTE : THE LAW FIRM OF REGER RIZZO
KAVULICH AND DARNALL LLP RECOGNIZING THAT
THE STATEMENT THAT RONALD W. HARTNETT JR
MADE AT THE DEPOSITION, I.E. (CAROL J. ANTOFF
ASKED ME TO ATTEND THIS DEPOSITION),
COMPROMISED THE DEFENDANTS DR. SYLVIA FOSTER'S
POSITION, FILED MOTION FOR SUBSTITUTION OF
COUNSEL WITHDRAWING CAROL J. ANTOFF AND
OFFICIALLY ENTERING THE APPEARANCE OF
LOUIS J. RIZZO JR AND RONALD W. HARTNETT JR,
SOON THEREAFTER, IN WHAT THE PLAINTIFF
PERCEIVES IS JUDICIAL STRATEGY DESIGNED TO
PREVENT THE RESPONSIBLE PARTY FROM BEING
FACTUALLY IDENTIFIED BY THE PLAINTIFF.
(SEE DEPOSITION TRANSCRIPT PAGE 4)

CERTIFICATE OF SERVICE

I, THE UNDERSIGNED PLAINTIFF JIMMIE LEWIS
DOE HEREBY CERTIFY ON THIS 11TH, DAY OF
JAN, 2007, THAT I DID MAIL ONE TRUE
AND CORRECT COPY OF THE AMENDED MOTION FOR
ORDER OF DECLARATION FOR THE DEFENDANT
DR. SYLVIA FOSTER'S CONTEMPT OF COURT ORDER'S
DATED JULY 28, 06 DI.72, AND SEPT 27, 06
DI.83, PURSUANT TO RULE 37, BY U.S MAIL
TO EACH OF THE FOLLOWING:

CLERK OF THE COURT (GMS)
UNITED STATES DISTRICT COURT
844 N. KING ST, LOCKBOX 18
WILMINGTON, DELAWARE 19801

GREGORY E SMITH
DEPUTY ATTORNEY GENERAL
820 N. TRENCH ST, 7TH FL
WILMINGTON, DELAWARE 19801

LOUIS J. RIZZO JR
1601 JEFFERSON PLAZA
SUITE 202
WILMINGTON, DELAWARE 19801

DATE: 1/11/07

Jimmie Lewis
SBI #506622
DEL. CORR. CENTER
1181 PADDOCK RD
SMYRNA, DE 19977

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS

Pro Se Plaintiff

v.

DR. SYLVIA FOSTER, et al.

Defendants

Civil Action No. 04-1350 GMS

SCHEDULING ORDER

At Wilmington this 28th day of July, 2006, pursuant to Fed.R.Civ.P. 16 and D.Del.L.R. 16.2;

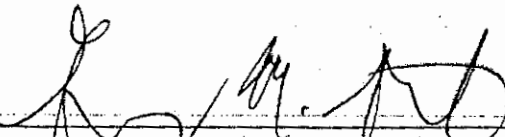
IT IS ORDERED that:

1. **Joinder of other Parties and Amendment of Pleadings.** All motions to join other parties and amend the pleadings shall be filed on or before September 28, 2006.
2. **Discovery.** All discovery shall be initiated so that it will be completed on or before January 29, 2007.
3. **Application by Motion.** Any application to the Court shall be by written motion filed with the Clerk.
4. The parties shall not send or deliver any correspondence to Chambers. All correspondence and pleadings must be filed directly with the Clerk of the Court. It shall be the responsibility of the parties to inform the court of any change of address.
5. **Summary Judgment Motions.** All summary judgment motions, with accompanying briefs and affidavits, if any, shall be served and filed on or before March 1, 2007. The Answering

brief shall be filed on or before March 15, 2007, and the Reply brief due on or before March 29, 2007.

6. Scheduling. The parties shall direct any requests or questions regarding the scheduling and management of this matter to chambers at (302) 573-6470.

Any request for extensions of time as set forth in this Scheduling Order must be made no later than twenty-one days prior to the expiration of time.



UNITED STATES DISTRICT JUDGE

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS,)	
Plaintiff,)	
v.)	
SYLVIA FOSTER, KATHYRN)	C.A. No.: 04-1350 (GMS)
SHENEMAN, MICHAEL TALMO,)	
DIANE STACHOWSKI, HELEN)	
HANLON, MARGERET WILSON,)	
MALE NURSE, DONNA LAWRENCE,)	
GLORIA BANKS, FLORENCE SCOTT)	
COBB, LANCE SAPERS, DAVE)	
MOFFITT, R. GRAY, C. OATS, ROSE)	
ARES, PAT RILEY, DR. OVRESHI,)	
CURTIS CORNISH, KAREN)	
CHAMBERLIN, SEGAL J., TANYA)	
WILSON, J. CONYER, MR. JOHNSON,)	
JOHN JOE,)	
Defendants.)	


ORDER

WHEREAS, Defendant, Dr. Sylvia Foster, having requested a Motion for Protective Order pursuant to Federal Rule of Civil Procedure 16; and

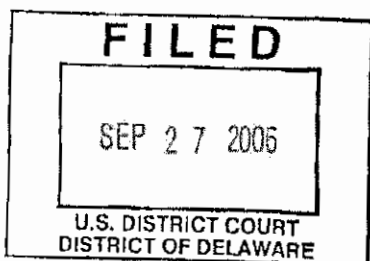
WHEREAS, there being good cause shown for the granting of such motion;

IT IS HEREBY ORDERED this 27th day of Sept., 2006, that Defendant Dr.

Sylvia Foster's Motion for Protective Order is granted. Defendant is not required to appear at the District Court on October 11, 2006 as directed by Plaintiff. Defendant shall respond to interrogatories and request for admission properly filed by Plaintiff within the discovery period previously set forth by this Court's scheduling order.



Gregory M. Sleet
United States District Judge



IM Jimmie Lewis
SBI# 506622 UNIT D-4-2
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977

11/17/07



CLERK OF THE COURT (GMS)
UNITED STATES DISTRICT COURT
844 N. KING ST, LOCKBOX 18
WILMINGTON, DELAWARE
19801